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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 **-oOo-**

8 UNITED STATES OF AMERICA,)
9)
Plaintiff,)

2:13-cr-029-JCM-GWF

10 vs.)

11 DAVID ALLEN GARRETSON,)
12)
Defendant.)
13 _____)

**MOTION TO CONTINUE
GOVERNMENT'S DEADLINE TO
RESPOND TO DEFENDANT'S MOTION
TO REOPEN DETENTION HEARING**

14 The United States of America, by and through DANIEL G. BOGDEN, United States
15 Attorney, and AMBER M. CRAIG, Assistant United States Attorney, respectfully move this Court
16 to allow the Government to file its response to Defendant David Allen Garretson's Motion to
17 Reopen Detention Hearing by February 19, 2013.¹

18 This motion is entered into based on the following:

19 1. Government counsel began trial in *U.S. v. Richard Carl Brown*, 2:12-cr-097-R CJ-
20 VCF on Monday, February 11, 2013, the same day Defendant filed his motion. Counsel spoke to
21 one another regarding defense counsel's plan to file the motion during the week of January 28,
22 2013. At that time, Government counsel indicated that she would be in trial starting February 11,
23 2013. Over a week after that discussion, defense counsel filed the motion on the day Government
24 counsel commenced trial. The Government anticipates that the trial will end on February 14 or
25 15, 2013, at which point counsel will have adequate time to respond to the motion.

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¹ February 18, 2013, is a national holiday and the Court will be closed.

1 2. Government counsel contact defense counsel and requested that the parties enter a
2 joint stipulation to continue the Government's response deadline until after counsel is done with
3 trial. Defense counsel opposed a continuance of the Government's response deadline.

4 3. The additional time requested herein is excludable in computing the time within
5 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
6 Code, Section 3161(h)(1)(D) and Title 18, United States Code, Section 3161(h)(7)(A), considering
7 the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(I) and 3161(h)(7)(B)(iv).

8 4. This is the Government's first motion to continue its deadline to respond to
9 Defendant's Motion to Reopen Detention Hearing.

10 DATED this 12th day of February , 2013.

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12 Respectfully Submitted,

13 DANIEL G. BOGDEN
14 United States Attorney

15 /s/ Amber M. Craig

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17 AMBER M. CRAIG
18 Assistant United States Attorney
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2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

4 **-oOo-**

5 UNITED STATES OF AMERICA,)

6 Plaintiff,)

7 vs.)

8 DAVID ALLEN GARRETSON,)

9 Defendant.)
_____)

2:13-cr-029-JCM-GWF

ORDER

10 Based upon good cause showing,

11 IT IS THEREFORE ORDERED that the Government's response to Defendant's Motion
12 to Reopen Detention hearing is due on 20th day of February, 2013.

13 DATED this 12th day of February, 2013.

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17 GEORGE FOLEY, JR.
18 United States Magistrate Judge
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